

## **REMARKS**

Claims 2-14, 16, 20-21, and 23-24 are now pending in this application. Claims 2, 7, 10, 14, 16, and 21 are independent. Claims 2, 7, 14, 16, and 21 have been amended, and no claims have been added or canceled by this Amendment after Final Rejection.

In reliance upon the indication of allowed and allowable subject matter, this Amendment places the application in condition for allowance.

### **I. Entry of the Amendment after Final Rejection is Proper**

Entry of this Amendment after Final Rejection is respectfully requested, as the present amendments to the claims merely rely upon the Examiner's previous indication of allowed and allowable subject matter in order to pass this application to Issue.

### **II. Unpatentability Rejection over Lager et al.**

Withdrawal of the rejection of claims 17 and 25 under 35 U.S.C. §103(a) as allegedly being unpatentable over Lager et al. (US 6,636,502) ("Lager") is requested. These claims have been canceled, thus rendering their rejection moot.

### **III. Unpatentability Rejection Over Lager and Kelly**

Withdrawal of the rejection of claims 1, 14, 20-21, 24, and 28-29 under 35 U.S.C. §103(a) as allegedly being unpatentable over Lager in view of Kelly (US2001/0055299) is requested.

Claims 1, 28, and 29 have been canceled, thus rendering their rejection moot.

Independent claim 14 has been amended to incorporate the allowable subject matter of claim 15, thus rendering its rejection and the rejection of dependent claim 20 moot.

Independent claim 21 has been amended incorporate the allowable subject matter of claim 22, thus rendering its rejection and the rejection of dependent claim 24 moot.

Allowance of claims 14, 20, 21, 23, and 24 is therefore requested.

#### **IV. Unpatentability Rejection over Lager in View of Davison et al.**

Withdrawal of the rejection of claims 18-19 and 26-27 under 35 U.S.C. §103(a) as allegedly being unpatentable over Lager in view of newly-presented Davison et al. (US 2003/0026273) ("Davison") is requested. These claims have been canceled, thus rendering their rejection moot.

#### **V. Allowable Subject Matter**

Applicants note with appreciation the indication that claims 10-13 are allowed and that claims 2-9, 15-16, and 22-23 are drawn to allowable subject matter and would be allowed if rewritten in independent form.

In reliance upon the indication of allowable subject matter, and without prejudice or disclaimer, Applicants have amended claims 2, 7, 14, 16, and 21 to incorporate allowable subject matter, and have cancelled claims 1, 15, 17-19, 22, and 25-29 from further consideration in this application. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the Examiner. Applicants respectfully reserve the right to pursue these and other claims in one or more continuation patent applications.

Accordingly, allowance of claims 2-14, 16, 20-21, and 23-24 is respectfully requested.

#### **VI. Conclusion**

All rejections having been addressed, Applicant submits that each of pending claims 2-14, 16, 20-21, and 23-24 in the present application is in immediate condition for allowance. An early indication of the same would be appreciated.

In the event the Examiner believes that an interview would be helpful in resolving any outstanding issues in this case, the Undersigned Attorney is available at the telephone number indicated below.

For any fees that are due, including fees for extensions of time and/or excess claims during the pendency of this application, please charge Deposit Account Number 03-3975 from which the Undersigned Attorney is authorized to draw. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Due Date: July 8, 2009

Respectfully submitted,

**Electronic Signature:**       /Larry J. Hume/      

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Attachment: Petition for 1-Month Extension of Time